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**TITLE 345 INDIANA STATE BOARD OF ANIMAL HEALTH**

**Final Rule**

LSA Document #13-229(F)

**DIGEST**

Amends [345 IAC 6-2-2](#) to change the incorporation by reference from January 1, 2004, to January 1, 2013, and to incorporate by reference the USDA final rule in the February 11, 2013, Federal Register (78 Fed. Reg. 9577). Amends [345 IAC 6-2-4](#) to include compliance with 9 CFR 93.301(e) as a requirement to move a horse into the state from a region where CEM exists. Effective 30 days after filing with the Publisher.

**[345 IAC 6-2-2](#); [345 IAC 6-2-4](#)**

SECTION 1. [345 IAC 6-2-2](#) IS AMENDED TO READ AS FOLLOWS:

**[345 IAC 6-2-2](#) Incorporation by reference**

**Authority:** [IC 15-17-3-21](#)

**Affected:** [IC 15-17-3-13](#); [IC 15-17-3-19](#)

Sec. 2. The following USDA regulations, in effect on January 1, ~~2004~~, **2013, and the amendments to these regulations in 78 Fed. Reg. 9577 (February 11, 2013)** are incorporated by reference into this rule:

- (1) 9 CFR 93.301(c).
- (2) 9 CFR 93.301(d).
- (3) 9 CFR 93.301(e).
- (4) 9 CFR 93.301(f).

*(Indiana State Board of Animal Health; [345 IAC 6-2-2](#); filed Apr 6, 2005, 4:00 p.m.: 28 IR 2353; readopted filed Nov 1, 2011, 3:50 p.m.: [20111130-IR-345110312RFA](#); filed Dec 16, 2013, 9:15 a.m.: [20140115-IR-345130229FRA](#))*

SECTION 2. [345 IAC 6-2-4](#) IS AMENDED TO READ AS FOLLOWS:

**[345 IAC 6-2-4](#) Movement into the state restricted**

**Authority:** [IC 15-17-3-21](#)

**Affected:** [IC 15-17-3-13](#); [IC 15-17-3-19](#)

Sec. 4. (a) A person may move into the state to a CEM quarantine facility a horse imported from a region where CEM exists or a region that trades horses freely with a region in which CEM exists as listed in 9 CFR 93.301(c)(1) only if the following requirements are met:

- (1) The person receives a preentry permit for entry into the state from the state veterinarian. The state veterinarian shall approve a permit for entry into the state if the applicable requirements in [IC 15-17](#), [345 IAC 1-3](#), and this rule are met. The state veterinarian may refuse to approve a permit for entry into the state to a CEM quarantine facility if state or federal resources are limited in a manner that the state veterinarian or federal officials would be unable to complete the requirements of this rule.
- (2) Each animal is accompanied by a certificate of veterinary inspection as required under [345 IAC 1-3](#).
- (3) The animal is identified with official identification as defined in [345 IAC 1-3-3](#).
- (4) The animal meets any testing, vaccination, or other applicable requirements in [345 IAC 1-3](#).
- (5) The animal meets the requirements in 9 CFR 93.301(d) **and 9 CFR 93.301(e)**.

(b) Animals moving into the state under a permit issued under this section must move directly to an approved CEM quarantine facility without stopping and unloading elsewhere in the state.

(c) Horses exempt from CEM import restrictions as described in 9 CFR 93.301(c)(2) and 9 CFR 93.301(g) are exempt from the movement restrictions in this section.

(d) Horses that are imported for no more than ninety (90) days to compete in specified events may be moved into the state if the conditions in 9 CFR 93.301(f) and subsection (a) are met.

(Indiana State Board of Animal Health; [345 IAC 6-2-4](#); filed Apr 6, 2005, 4:00 p.m.: 28 IR 2353; errata filed Oct 3, 2008, 3:30 p.m.: [20081022-IR-345080767ACA](#); readopted filed Nov 1, 2011, 3:50 p.m.: [20111130-IR-345110312RFA](#); filed Dec 16, 2013, 9:15 a.m.: [20140115-IR-345130229FRA](#))

LSA Document #13-229(F)

Notice of Intent: [20130612-IR-345130229NIA](#)

Proposed Rule: [20130828-IR-345130229PRA](#)

Hearing Held: October 10, 2013

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Approved by Governor: December 16, 2013

Filed with Publisher: December 16, 2013, 9:15 a.m.

Documents Incorporated by Reference: 9 CFR 93.301(c) through 9 CFR 93.301(f), January 1, 2013

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